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The Concert of Nations

By HON. JOSEPH IRWIN FRANCE

United States Senator from Maryland

I FIRST submitted my plan for the Concert of Nations to the Senate in its crude form in January, 1919, and in its enlarged and modified form in February, 1920. My proposal, therefore, for the restoration of peace and for the calling of an international conference for the inauguration of a concert of nations has been before the Senate committee for many months, and I trust that it will soon have most careful consideration. I will only give the bare outline of my plan.

CONCERT NOT LEAGUE

Those who have only superficially examined my plan are apt to say that I am proposing a league of nations under another name, whereas I think it should be quite clear that I have changed the name of the association which I propose to Concert of Nations, since this name seems best to convey the form of the association which I propose, and which in every respect is the antithesis of the League of Nations. The association which I propose is what the League of Nations purported to be, but was not. The League of Nations, as proposed, was in every sense a league or an alliance of nations. It was properly called a league or alliance, because it was a coalition, participated in by a few nations representing but a small minority of the peoples of the earth; a coalition which brazenly announced its purpose of appealing to arms for the enforcement of its decrees. It would be dominated by the imperialistic nations, Great Britain, Japan and France, and its principal objects were to guarantee the territorial integrity of these empires; to preserve the *status*

quo with its cruel and obsolescent system of colonial expansion and human exploitation; to force the Germans by a war after the war to fulfill the drastic, oppressive, and really impossible provisions of the treaty; in short, to form a super-government, to be controlled by a group of nine men, the majority of whom would have been imperialists, who purposed by this scheme to defeat the rising hopes of millions of men for emancipation from unfavorable conditions and liberation from foreign control.

The plan which I have proposed meets, I believe, the demands of the world for a voluntary concert of all the nations, an association for concerted, coöperative effort, not for the preservation of the *status quo* but for the inauguration of that new era in international relationships for which the world is now prepared. The proposed League was static, conservative, negative in its nature. It was for the preservation of territory and of peace by force and for the perpetuation of empire. The proposed concert is dynamic, progressive, and affirmative in its nature. It is for the liberation, elevation, education, and ultimate self-determination of all the peoples of the earth. It appeals not to the compelling force of arms but to the persuasive power of justice. Campaigns for mere disarmament are futile and foolish. Armaments, be they war canoes, spears, poisoned arrows, superdreadnaughts, poison-gases, or the monstrous, modern artillery belching forth death, are not the disease but the symptoms, symptoms which must persist and should persist and will, by the decree of God, persist until the disease

itself shall be cured. The disease is international injustice, imperialism which must make its appeal to force because it dare not come to court with bloody hands and make its appeal to reason and to the enlightened conscience of mankind.

LEAGUE OR ISOLATION

In this supreme crisis of the world's affairs, the statesmen of America are in an agony of indecision. Among the people there is division and confusion of opinion as to what course the United States should take with reference to international relationships. The world has looked to America for leadership and thus far we have failed. There is one prominent group of men high in official life who contend that we should at once make peace with Germany and pursue a policy of isolation, refusing in any way to participate in the councils of the nations, while those in another group of men equally prominent still believe that we should accept membership in the League of Nations when it shall be modified by certain reservations, and surrender our national sovereignty to a super-government of imperial powers. These are the mild reservationists who did not believe that the League of Nations scheme was organically, fundamentally wrong and who held that its minor and smaller defects and deficiencies could be cured by what seemed to my too practical mind wholly meaningless amendments. To my mind the isolationists and the mild reservationists occupy untenable and impossible situations. We have fallen into confusion; we have lost our way in a wilderness of words; we are caught in the swamps and forests of legalistic intricacies and subtleties, because during the war we lost faith in the wisdom of the fathers, and ceasing to be guided by the fixed star of unchanged principle we followed the

shifting, falling light of base and perilous expediency.

APPLY AMERICAN PHILOSOPHY

There is an American philosophy of government which should be understood by American statesmen, a philosophy great enough, if its principles shall be applied, to meet and solve every problem which can arise in the governmental affairs of this nation or in connection with the relationships between the nations of the world. That philosophy of government is to be found in the Declaration of Independence, in its every essence in the preamble; in the Constitution of the United States, particularly in its preamble; in the matchless message of Washington; in the writings of Washington, Jefferson and Adams; in its further development, and in its application in the greatest crisis which has ever confronted the nation, in the simple, eloquent, immortal words of Lincoln. It has been said that history repeats itself, and this I think is true, because reactionary statesmen stand in the path and bar the way along which the world should move in orderly progression toward an ever enlarging liberty. Through all the course of history we must perceive a purpose which always moves from the old and the false to the new and the true. The old false system of government was characterized by unlimited authority in the hands of the minority. This has often been followed, because of its oppressions, by disorder and revolution, revolution being unlimited authority in the hands of the majority. Through the centuries we can find appearing, in abortive and imperfect form, disappearing again into the darkness, and reappearing, in ever-increasing clarity, that new system of government which consists in limited authority in the hands of the majority.

Unlimited authority in the hands of the minority means despotism and oppression. Unlimited authority in the hands of the majority is the dictatorship and the tyranny of the mob. But evolution moves onward resistlessly toward the American time, toward the constitutional republic, toward government by a majority, with authority so limited that even the majority may not invade those sacred, inalienable rights with which all men created equal are endowed by their Creator. The empire is government by a minority with unlimited authority. The League of Nations, a scheme of empire born of imperial ambition, was government by a minority with unlimited authority. Under it less than three hundred and seventy millions of people in a coalition relying upon force sought, with no pledge, to preserve the inalienable rights of all the rest, to impose its will upon the more than billion human beings who were to be subject to its will and bow in obedience to its decrees.

Such a coalition or super-government, government by a minority with unlimited authority, was and must forever be repugnant to every principle of American philosophy. The Concert of Nations which I have proposed seeks to apply the American philosophy of government, the principles of government by a majority with limited authority, for the establishment of proper international relationships. The Concert of Nations would be an association of nations for coöperation, concerted action, for the realization throughout the world and the efficient application everywhere of the great affirmations contained in the preamble of the Declaration of Independence and of the Constitution of the United States. Profoundly reverencing the God of nations, holding "These truths to be self-evident that all men are created equal, that they are endowed

by their Creator with certain inalienable rights, that among these are Life, Liberty and the pursuit of Happiness," "that to secure these rights, governments are instituted among men, deriving their just power from the consent of the governed," the fathers constituted a government devoted to the achievement of these ends which I have enumerated in that great preamble to the Constitution of the United States, "to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." Justice and liberty were the purposes which the fathers sought to achieve by the founding of this government, and their souls were inspired by the faith that by the example and through the instrumentality the institutions of ordered liberty of government by the majority with limited authority would be extended in ever widening circles, through the centuries, to carry at last their unspeakable blessings to the remotest shores and most distant islands of the sea where dwell the sons of men. This government they handed down to us, a sacred responsibility, a priceless opportunity, firm in the faith that we would so administer it that it would become the prophet of a new day and the leader of the world onward to a better age.

OUR GOVERNMENT MUST BE TRUE TO ITS PURPOSES

I find nothing in the doctrine of the fathers to indicate that they set any narrow bounds to the number of states which might be federated into a common government. I can find no support for the contention that the fathers, particularly Washington, Hamilton, and Madison, placed any narrow limitations upon the extent of the

sphere which might be embraced in governmental organization, or that they taught any doctrine of national isolation. On the contrary, they most clearly perceived that the principle of federation, with the careful maintenance of the proper balance between the rights of self-determination of the parts and the surrender by a reasonable delegation of powers by the parts for the safe unification into the whole would lend itself to indefinite expansion. I wish that I had space adequate to quote paragraphs from Washington and Madison, particularly bearing upon this question. It was not because he believed in selfish isolation, it was not because he desired to confine to a narrow sphere the application of this principle, that Washington warned against foreign alliances. It was rather because he clearly perceived the fact, which we must now recognize, that while this nation might from time to time alter its temporary policies from reasons of expedience, it could not abandon its principles or depart either in its foreign or domestic activities from those exalted purposes to which it had been dedicated, without complete self-destruction. This is the vital point to be remembered. We can not form alliances with other nations. We can not become a part of a super-government devoted to purposes alien to our own.

The purposes of the Concert of Nations, as I have stated, would be the purposes to which our own government has been dedicated. My resolution provides for the calling of an international conference, an assembly of the colonies, protectorates, and dependencies and of representatives of labor. To the international conference would be invited all of the states signatory of or adherent to the convention for the Pacific settlement of international disputes, of July 24, 1899,

and their successors, and all other states since recognized, or which may be recognized prior to the sending out of the invitations. This list of states would, of course, include Germany, Russia, India and Ireland. This international conference would be the first of a series of periodical conferences and assemblies of a similar character, meeting at periods of three years at places determined by the international conferences. The general object of the conferences and assemblies shall be to constitute a concert of the states and countries of the world on the general lines of the international conference of American states and the inter-American High Commission, by means of central and national institutions and processes adapted to carry on orderly discussion, deliberation, and judgment concerning matters of common interest, with a view to inducing such peaceful and voluntary action of the states in the common interest as may be needful to bring about international coöperation.

All resolutions agreed upon either in the international conference or in the assembly of the colonies, protectorates and dependencies shall be of an advisory character, and any international or pan-national organs or processes initiated or instituted shall be of a voluntary nature and shall have only advisory powers. The international conferences would establish and maintain a system of advisory correspondence, with continuation committees sitting in the intervals between the conferences to prepare for the international conferences and the assemblies of the colonies, protectorates, and dependencies and to carry on the system of correspondence.

The purposes would be (1) to consider the common and mutual interests and the social and economic relations of the states and the peoples of the

world as naturally and necessarily united for mutual aid and benefit, and to recommend such projects of uniformity or reciprocity in the action of the states, respectively, as will enable them to coöperate for the general welfare.

(2) To formulate a body of international law based on the security of the fundamental rights of the individual as the prime function of all governments and for applying as between states the analogies of the laws of partnerships and cotenancy and as between states and their respective colonies, protectorates, and dependencies the analogies of the laws of conservatorship, guardianship, and trusteeship.

(3) To devise methods for the advancement of the peoples of colonies, protectorates, or dependencies from the status of dependence to that of independence and to full participation in the international conference.

(4) To decide concerning the admission into the international conferences of any communities claiming to be states formed by the division of existing states or by the junction of state or parts of states.

(5) To promote coöperation among the more advanced nations for the improvement and advancement of the backward countries and territories, particularly those of Africa and parts of Asia, by the formulation of plans for the reclamation of waste land, for the utilization of natural resources, including water powers, for wise colonization, for the promotion of education and the spread of civilization throughout the world.

(6) To consider the problems of the congestion of some and the underpopulation of other nations and the unregulated competition between the more populous and industrial countries for the trade and raw products of the less populous agricultural ones.

(7) To study the problem of inter-

national finance, credits, and exchange, with a view to the prompt shipment on suitable credits, particularly into Russia, Germany, Austria, China, Africa, and any other agriculturally or industrially undeveloped or prostrated countries, of tools, agricultural implements, seeds, and other materials necessary to production, as well as foodstuffs, necessities, and commodities, for the purpose of encouraging a resumption of production which will be favorable to the rehabilitation of the world.

(8) To localize hostilities between states by coöperative policing of the high seas or otherwise, and to take such action in case of such hostilities that the result of any armed conflict between states may be to increase the area within which the rights of the individual are effectively secured and to render more perfect the union of all the states for mutual aid and benefit.

(9) To make further provision for the pacific settlement of international disputes and for the settlement of such disputes according to accepted principles of law and by due process of law; and for this purpose to establish an international supreme court of justice and a system of inferior international courts having jurisdiction of controversies between states in which the parties in interest are citizens of different states, and also of such controversies between states in their own right, as may be susceptible of decision by application of accepted principles of public or private law.

(10) To encourage the establishment, where stable governments do not exist, of constitutional republics or governments of such character as would make for that national stability upon which would be based a permanently peaceful international order, and to promote the institution in each nation of appropriate national agencies of international correspondence and concert

and the control by national legislatures of the appointment and instruction of national delegates to the international conferences.

(11) To promote amity and mutual understanding between the oriental and occidental peoples, and to proceed with all possible means and speed to conciliate the people of Russia, China, India, Afghanistan, the Central Powers, and Turkey, in order that these nations or countries may not form, against the western powers, a hostile coalition which might menace the peace of the world.

The President would be authorized and directed, by invitations to be sent out by him during the month of June, 1921, to invite each of the aforesaid states to send five delegates, to be selected from the organized labor bodies of each of said states, to an international conference on labor to be held at Washington at the same time with the international conferences of the states and the assembly of the colonies, protectorates, and dependencies, said international conference on labor to sit concurrently with but separate from and independent of, the international conference of the states and the assembly of the colonies, protectorates, and dependencies. This

international conference on labor may send communications to and advise with the other two aforesaid conferences. It shall be the function of the international conference on labor to consider and deliberate upon all questions affecting the general welfare of labor throughout the world and to make recommendations to the international conference of the states and to the assembly of the colonies, protectorates, and dependencies of measures which, in the opinion of the international conference on labor, would tend to promote the establishment of general justice, the assurance of the general tranquillity, the promotion of the general welfare, and the securing generally of the blessings of liberty to the peoples now living, and to their posterity.

It provides for no super-government. All of its processes would be advisory and the authority of the conferences would be limited by their assent and agreement to the purposes which have been enumerated. As I have already intimated, there is no theoretical reason why the whole world might not be federated. When they shall all be dedicated to the purposes of the United States, there might well be a United States of the world.

A World Association Impractical Under Present Conditions

By HON. JAMES M. BECK
Of the New York Bar

I WISH I thought that the problem of an effective world organization was as easy as many people seem to think it is. They are like the student who claimed that he had discovered the nature of the aurora borealis but unfortunately had forgotten

the details of the discovery. To prevent war, a "consummation devoutly to be wished" but as yet not realized in the history of the world, something more is necessary than to perfect an organic combination of the nations of the world. Peace by this method has